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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/028,680

12/28/2001

Chin-Fu Cho

MRI957-630

3694

4586

7590

01/09/2006

ROSENBERG, KLEIN & LEE  
3458 ELLICOTT CENTER DRIVE-SUITE 101  
ELLICOTT CITY, MD 21043

EXAMINER

WORKU, NEGUSSIE

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/028,680

Applicant(s)

CHO, CHIN-FU

Examiner

Negussie Worku

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/14/2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claimed subject matter in claim 2 is not clear what applicant is trying to disclose "atop"?

3. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Witte et al (USP 6,831,759).

With respect to claim 1, Witte et al., discloses a carriage module for a scanner, (a scanner module 60 of fig 1, mounted for the scanning movement along axis 56 as shown in fig 1, see col.2, lines 40-50) comprising a case (housing of fig 1); an image sensor (optical sensor 72 of fig 5, col.3, lines 10-15) arranged in the case (housing 62 of fig 5); a mirror set (mirror 68A –68F of fig 5) arranged in the case (housing 60 of fig 5) and used to guide a reflected light from a document to be scanned to the image sensor (image sensor CCD 72 of fig 5, col.3, lines 8-12); a lens set (lens 70 of fig 5) placed between the image sensor (image sensor 72 of fig 5) and the mirror set (Mirrors 68A-68F of fig 5) and used to focus the reflected light from the document (document positioned on platen 54 of fig 1) to the image sensor (optical sensor CCD 72 of fig 5); the case (housing of fig 1) composed of a first shell (housing 62 of fig 5) and a second shell, (scanner housing 80 of fig 5) said first and second shell being telescopically coupled each to the other (62 and 80, coupled each other as seen in fig 1) wherein the second shell (80 of fig 5) has a larger length than that of the first shell, (62 of fig 5) the second shell (80 of fig 5) is movably arranged in the first shell (62 of fig 5) and can be moved along a horizontal direction, see fig 5, the scanner module is driven to the extreme right position, col.4, lines 15-25).

With respect to claim 2, Witte et al., discloses the carriage module, (a carriage module 60 mounted for the scanning movement along axis 56 as shown in fig 1, see

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col.2, lines 40-50), further comprising a light source (64a and 64B of fig 5) atop the case.

With respect to claim 3, Witte et al., discloses the carriage module, (a scanner module 60 mounted for the scanning movement along axis 56 as shown in fig 1, see col.2, lines 40-50), wherein the image sensor is a charge coupled device (CCD), see (col.3, lines 10-14).

With respect to claim 4, Witte et al., discloses the carriage module, (a scanner module 60 mounted for the scanning movement along axis 56 as shown in fig 1, see col.2, lines 40-50), wherein the mirror set (mirror 68A-68B of fig 5) comprises a plurality of reflection mirrors in the case, see (col.3, lines 8-11).

With respect to claim 5, Witte et al., discloses the carriage module, (a scanner module 60 mounted for the scanning movement along axis 56 as shown in fig 1, see col.2, lines 40-50), wherein the lens set comprises a lens (lens 70 of fig 5, col.3, lines 10-13).

With respect to claim 6, Witte et al., discloses the carriage module for a scanner, (a scanner module 60 mounted for the scanning movement along axis 56 as shown in fig 1, see col.2, lines 40-50), wherein the lens set (lens 70 of fig 5) further comprises focusing unit to refocus the reflected light, see (col.3, lines 10-13).

### ***Response to the Arguments***

6. Applicant's response to the Official office action dated July 28, 2005, has been reviewed and respect fully considered.

However, Applicant's arguments discussed in page 5 and 6 are not found persuasive, because the prior art's teaching as disclosed in col.4, lines 15-25, read on the amended limitation of the application, as set forth in the above Office action.

Therefore, Examiner believes the amended claimed limitation read on the prior art used to reject in last first Office action, and therefore, office action is maintained for the reason the claimed limitation does not over came the reference used against the application.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

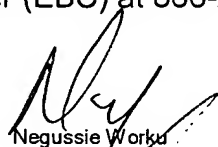
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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Negussie Worku  
Dec 16, 2005



MARK WALLERSON  
PRIMARY EXAMINER